

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE INTERCEPT MEDIA, INC.,	:	
	:	NO. 1:24-cv-01515-JSR
Plaintiff,	:	
	:	
v.	:	
	:	
OPENAI, INC., OPENAI GP, LLC,	:	
OPENAI, LLC, OPENAI OPKO LLC,	:	
OPENAI GLOBAL LLC, OAI	:	
CORPORATION, LLC, OPENAI	:	
HOLDINGS, LLC and MICROSOFT	:	
CORPORATION,	X	
Defendants.		

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**DEFENDANTS OPENAI, INC., OPENAI GP, LLC, OPENAI, LLC, OPENAI OPKO  
LLC, OPENAI GLOBAL LLC, OAI CORPORATION, LLC, AND OPENAI  
HOLDINGS, LLC'S NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that upon the annexed Declaration of Joseph C. Gratz, dated April 15, 2024, and the accompanying Memorandum of Law, the undersigned hereby moves this Court on behalf of Defendants OPENAI, INC., OPENAI GP, LLC, OPENAI, LLC, OPENAI OPCO LLC, OPENAI GLOBAL LLC, OAI CORPORATION, LLC, and OPENAI HOLDINGS, LLC (hereinafter, “OpenAI”), by and through counsel, before the Honorable Jed S. Rakoff, United States District Judge for the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007-1312, for an order dismissing the Complaint against OpenAI.

This Motion is made pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) and is based upon this Notice of Motion, the Memorandum of Law in support of this Motion, and the Proposed Order filed concurrently herewith, as well as all pleadings and papers on file in this action, and such further evidence that may be submitted to the Court at or before the hearing.

In accordance with the schedule set by the Court, plaintiffs’ answering papers shall be filed on or before May 6, 2024, and OpenAI’s reply papers shall be filed on or before May 16, 2024. Oral argument shall be held on May 24, 2024 at 10:00am.

Dated: April 15, 2024

Respectfully submitted,

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